

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

<b>IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL 2327  JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>
<b>THIS DOCUMENT RELATES TO:</b>  <i>Pilar El Quesny and Mongy El Quesny v. Ethicon, Inc. et al.</i>	<b>Case No. 2:15-cv-13288</b>

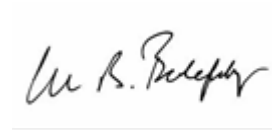
**PLAINTIFFS' OPPOSITION TO DEFENDANTS'  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiffs oppose Defendants' Motion for Partial Summary Judgment on Plaintiffs' negligence claim (Count I), strict liability design defect claim (Count V), and gross negligence claim (Count XIV). Defendants have not moved for summary judgment on Plaintiffs' loss of consortium claim (Count XVI), punitive damages claim (Count XVII), or discovery rule and tolling claim (Count XVIII). As for the remaining claims pled in Plaintiffs' Short Form Complaint (Counts II-IV, V-XV), Plaintiffs will not be proceeding with those claims at trial. Plaintiffs incorporate their Memorandum in Support of Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment.

WHEREFORE, for these reasons and for those more fully set forth in Plaintiffs' supporting memorandum of law, Plaintiffs respectfully request that this Court enter an order denying Defendants' Motion for Summary Judgment.

Respectfully submitted,

**KLINE & SPECTER, PC**

A handwritten signature in black ink, appearing to read "Lee B. Balefsky". The signature is written in a cursive, flowing style.

Dated: October 25, 2018

BY:

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Lee B. Balefsky, Esquire/25231  
Christine V. Clarke, Esquire/ 314407  
1525 Locust Street, 19th Floor  
Philadelphia, PA 19102  
(215) 772-1000  
Lee.Balesky@klinespecter.com  
Christine.Clarke@klinespecter.com  
*Attorneys for Plaintiffs*